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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/309,211	05/10/1999	HY MURVEIT	NUAN-00800	7221

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EXAMINER

AZAD, ABUL K

ART UNIT PAPER NUMBER

2654

DATE MAILED: 03/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/309,211

Applicant(s)

MURVEIT ET AL.

Examiner

ABUL K. AZAD

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2002.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10, 12-26, 28-40 and 42-58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-26, 28-40 and 42-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                              | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>12, 13</u> . | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is in response to the communication filed on January 23, 2001.
2. Claims 1-10, 12-26, 28-40 and 42-58 are pending in this action.
3. The applicant's arguments with respect to claims 1-10, 12-26, 28-40 and 42-58 have been fully considered but they are not deemed to be persuasive. For examiner's response to the applicant's arguments or comments, see the detailed discussion in the Response to the Arguments section.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-10, 12-26, 28-40 and 42-58 are rejected under 35 U.S.C. 102(e) as being anticipated by Kanevsky et al. (US 5,897,616).

As per claim 1, Kanevsky teaches, "a method of adapting a speech recognition system," wherein the method comprises steps of:

"obtaining an identification of a speaker" (col. 8, lines 53-55);

“obtaining a sample of a speaker's speech during a first remote session” (col. 8, lines 45-55, reads on “the system collects voice samples from the caller's answers to the plurality of questions and builds a user voice model therefrom.”);

“recognizing the speaker's speech utilizing the speech recognition system during the first remote session” (col. 8, lines 45-48, reads on “based only on the scores achieved by the answers received to the questions, the server makes a determination whether or not to permit access to the caller.”);

“modifying the speech recognition system according to the sample thereby forming a speaker-specific modified speech recognition system” (col. 8, lines 45-55);

“storing a representation of the speaker-specific modified speech recognition system in association with the identification of the speaker” (col. 8, lines 45-55)

“using the representation of the speaker-specific modified speech recognition system to recognize speech during a subsequent remote session with the speaker” (col. 8, lines 45-55)

As per claim 2, Kanevsky teaches, “comprising a step of cumulatively modifying the speech recognition system according to speech samples obtained during one or more remote sessions with the speaker” (col. 8, lines 45-55).

As per claim 3, Kanevsky teaches, “wherein the speaker is a telephone caller” (col. 1, lines 58-67).

As per claim 4, Kanevsky teaches, “wherein the step of modifying the speech recognition system comprises a step of modifying an acoustic model thereby forming a speaker-specific modified acoustic model and wherein the step of storing a

representation of the speaker-specific modified speech recognition system comprises a step of storing a representation of the modified acoustic model" (col. 8, lines 45-55).

As per claim 5, Kanevasky teaches, "wherein the representation of the speaker-specific modified acoustic model is a set of statistics which can be utilized to modify a pre-existing acoustic model" (col. 8, lines 31-35 and col. 11, lines 3-20).

As per claim 6, Kanevasky teaches, "wherein the representation of the speaker-specific modified acoustic model is a set of statistics which can be utilized to modify incoming acoustic speech" (col. 8, lines 31-35 and col. 11, lines 3-20)

As per claim 7, Kanevasky teaches, "a step of utilizing the speaker-specific modified speech recognition system during the first remote session with the speaker" (col. 8, lines 45-55).

As per claim 8, Kanevasky teaches, "wherein the speech recognition system is speaker-independent prior to first remote session" (col.8, lines 45-48).

As per claim 9, Kanevasky teaches, "wherein the step of modifying the speech recognition system is performed during the first remote session" (col. 8, lines 45-48).

As per claim 10, Kanevasky teaches, "wherein the step of modifying the speech recognition system is performed after termination of the first remote session" (col. 8, lines 30-35).

As per claims 12 and 16, Kanevasky teaches, "step of authenticating the speaker's identification by the speaker's speech" (col. 8, lines 45-55).

As per claims 13-15, they are interpreted and thus rejected for the same reasons set for the in the rejection of the claims 8-10.

As per claims 17-26, 28-40 and 42-58, they are interpreted and thus rejected for the same reasons as set for the in the rejection of the claims 1-10 and 12-16.

***Response to Arguments***

6. The applicant argues: "Kanevsky does not teach a system to modifying a speech recognition system . . . ."

The examiner disagrees with the applicant's assertion. The Kanevsky does teaches a system to modifying a speech recognition system see col. 8, lines 45-50, the limitation can be reads on "the system collects voice samples from the callers answers to the plurality of questions and builds a user voice model (e.g., users model) therefrom. Therefore, it is clear that Kanevesky teaches, to modify a speech recognition system from speech model (answer of questions to identify the speaker) to speaker dependent model (User model).

The applicant further argues: "kanevesky teaches a system to modify a speaker identification process. Kanevsky does not teach a system to modify a speech recognition system."

The examiner notes that Kanevsky and the applicant booth teach to modify a speaker identification system. Where in the independent claims the applicant claimed as obtained an identification of a speaker by speaker's speech and obtained speech sample of the speaker during remote season to modify speaker-specific model. Kanevsky teaches, from the question and answer session the system determines whether or not to permit access to the callers then system collects voice samples from the callers answer to the plurality of question and builds a user voice model (e.g., user

model) therefrom (col. 8, lines 45-50). From above it is clear to a person skill in the art that booth Kanevsky and the applicant teaches the same limitations.

The applicant further argues that at no point in Kanevsky are collected voice samples used to modify the ASR 28.

Kanevsky teaches this limitation at col. 8, lines 48-50.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(703) 305-3838**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Marsha D. Banks-Harold**, can be reached at **(703) 305-4379**.

Any response to this action should be mailed to:

**Commissioner for Patents**  
**Washington, D.C. 20231**

Or faxed to:

**(703) 872-9314**


(For informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center's Customer Service Office whose telephone number is **(703) 305-4700**.

Abul K. Azad

March 17, 2002

  
**MARSHA D. BANKS-HAROLD**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2800**